

Office Action Summary

Application No.

09/736,456

Applicant(s)

HUNT ET AL.

Examiner

Joseph G. Ustaris

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-63 and 65-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-63 and 65-85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment dated August 17, 2007 in application 09/736,456.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 41-61 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern (US006486892B1) in view of Gerace (US005848396A), Eldering et al. (US006820277B1), and Ellis et al. (US 20060031883A1).

Claim 41, Stern (Col. 7, lines 35-60) discloses a system for controlling content delivery to an audience using a concurrent delivery system that delivers content to at least a 1st portion of the audience over a channel-tuned broadcast spectrum (non-web related information) and to at least a second portion of the audience over an addressable network using an Internet protocol (Web related information).

Stern further discloses the content delivery system (Fig. 1, el. 8) has access to a plurality of content elements 10-13. Stern further discloses the content delivery system being controlled by the audience interaction monitor system and said content delivery system being operative to automatically select content elements in real time and

actively deliver selected content elements to the 1st and 2nd portions of the audience based at least one audience metric (dynamically update user profile so to deliver information up-to-date; Col. 3, lines 45-57; Col. 9, lines 15-Col. 10, lines 14) by adjusting, in an identical and uniform manner, content elements of all webcast content delivered over the addressable network for a plurality of recipients of the webcast content, and all content elements of broadcast content delivered over the channel-tuned broadcast spectrum for all recipient of the broadcast content (Col. 9, lines 35-46), thereby assuring that, for all content elements that are adjustable in response to the individual audience metric (individual user profile), the recipients of the webcast content and the broadcast content receive identical content elements.

Stern does not disclose an aggregate (gather) audience interaction monitor system that monitors the addressable network (Internet network) and generate at least one audience metric corresponding to aggregate (gather) usage by plural persons within the 2nd portion of the audience (Web users) and the content delivery system being deliver selected content elements to the 1st and 2nd portions of the audience based on the at least one audience metric. Stern further does not clearly disclose content elements are programming and advertising Content elements.

Gerace discloses an audience interaction monitor system (Fig. 2) that monitors the addressable network (Internet network) and generate at least one audience metric corresponding to aggregate (gather) usage by plural persons within the 2nd portion of the audience (Web users) and the content delivery system being controlled by the audience interaction monitor system and being operative to actively deliver selected

Art Unit: 2623

content elements (programming and advertising content elements) to the 1st and 2nd portions of the audience based on the at least one audience metric (Col. 2, lines 45-53; Col. 4, lines 1-36; Col. 5, lines 25-40; Col. 11, lines 45-Col. 12, lines 42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stern with Gerace so to provide to user aggregate information combined in a common screen view or separately in respective screen view with advertisements in accordance with the psychographics profile of user.

Stern in view of Gerace does not disclose that programming and advertising content elements of both webcast content and of broadcast content are adjustable in an identical manner in response to the audience metric, i.e., for all members of a broadcast audience and all members of a narrowcast audience.

Eldering teaches the subscriber characteristics/data may be associated with individual subscribers or groups of subscribers, i.e., audience metric in terms of demographics, geographic locations, household income, and ethnic group... (Col. 4, lines 33-Col. 5, lines 45) so that programming and advertising content elements can be easily matched in an identical manner to individual subscribers or groups of subscribers (Col. 9, lines 13-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stern in view of Gerace with the teaching of grouping of subscribers into large groups with similar characteristics, as taught by Eldering, so to provide advertisers an ability to describe their advertisements in terms of target market demographics and to allow ads to be matched to groups of

subscribers in the streaming video environments (see Col. 2, Summary of the invention).

Stern does disclose that the guide system operates in a client-server architecture (See col. 4 line 66 – col. 5 line 1). However, Stern does not explicitly disclose that the content delivery system is at a simulcast head end at which the broadcast content and webcast content originate.

Ellis et al. (Ellis) discloses an interactive television system. Ellis discloses a guide system that also operates in a client-server architecture (See Fig. 2c). Ellis discloses that the content delivery system is located at a simulcast head end (See Fig. 2c, 16) at which the broadcast content (television programs) and webcast (associated Internet web links) content originate (See paragraph 0034). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the guide system of content deliver system disclosed by Stern to be located at a simulcast head end, as taught by Ellis, in order to have the primary processing power be provided by the head end thereby freeing resources at the client end (See paragraph 0046).

Claim 42, Gerace further discloses wherein the audience monitor stores historical data reflecting the usage by the 2nd portion of the audience (Internet audience; Fig. 2, el. 73; Col. 4, lines 37-47).

Claim 43, wherein the audience metric is an audience level metric characterizing the aggregate of the 1st portion of the audience is further met by Gerace because the format of the media schedule page also includes one table for television listing for each

TV program for user to select for viewing (Col. 10, lines 12-18). Thus, the audience metric disclosed by Gerace is also applicable to an audience level metric characterizing the aggregate of the 1st portion of the audience (Non-Internet audience). Moreover, Eldering also discloses various audience level metrics for a particular advertisement (see Fig. 7-8).

Claim 44, since the audience metrics disclosed by Gerace and Eldering are also applicable to an audience level metric characterizing the aggregate of the 1st portion of the audience; therefore, Gerace and Eldering's audience metrics are also a surrogate metric characterizing the aggregate of the 2nd portion of the audience (Internet audience).

Claim 45, Gerace (Col. 2, lines 35-59 and Col. 15, lines 1-45) and Eldering (see Fig. 7-8) further discloses wherein the audience metric is a gain/loss metric characterizing change in usage by the 2nd portion of the audience.

Claim 46, Gerace (Col. 15, lines 1-25) and Eldering (see Fig. 7-8) further discloses wherein the audience metric reflects usage as a function of time.

Claim 47, Gerace (Col. 15, lines 1-25) and Eldering (see Fig. 7-8) further discloses wherein the audience metric reflects usage associated with at least one content element.

Claim 48, Gerace (Col. 15, lines 25-45) and Eldering (Col. 5, lines 9-Col. 6, lines 15) further discloses wherein the content delivery system includes an automated decision system having an associated set of business rules used in conjunction with the audience metric to select content elements for delivery.

Claim 49, Gerace (Col. 15, lines 25-45) and Eldering (Col. 5, lines 9-Col. 6, lines 15) further discloses wherein the business rules are configured to maximize the audience.

Claim 50, Gerace (Col. 15, lines 25-45) and Eldering (Col. 5, lines 9-Col. 6, lines 15) further discloses wherein the business rules are configured to maximize audience for selected content elements.

Claim 51, Gerace (Col. 18, lines 1-27) and Eldering (Col. 5, lines 9-Col. 7, lines 55) further discloses wherein the business rule are configured to maximize audience for selected content elements by temporally placing the selected content elements after other content elements having an associated audience metric above a predetermined level.

Claim 52, Gerace (Col. 19, lines 37-40) and Eldering (Col. 8, lines 12-23) further discloses wherein the business rule reflects contract-specified monetary values associated with at least a portion of the content elements.

Claim 53, Gerace (Col. 19, lines 37-65) and Eldering (Col. 8, lines 12-37) further discloses wherein the business rules are configured to use the monetary values to maximize advertising profits.

Claim 54, Gerace (Col. 6, lines 5-8; Col. 16, lines 30-36 and Col. 22, lines 44-48) and Eldering (Col. 7, lines 40-64) further discloses wherein the audience interaction monitor system captures location information about members of the 1st portion of the audience.

Claim 55, Gerace (col. 21, lines 29-40) and Eldering (Col. 4, lines 37-50 and Col. 9, lines 13-55) further discloses wherein the audience interaction monitor system captures location information about members of the 1st portion of the audience and wherein the content delivery system delivers content to the 2nd portions of the audience selectively based on the location information (col. 21, lines 29-40).

Claim 56, Gerace (Col. 19, lines 37-40) and Eldering (Col. 9, lines 4-17) lines 58-65) further discloses wherein at least a portion of the content elements corresponds to a contractual relationship between a broadcasting entity and an advertising entity and wherein the contractual relationship has contractual terms that depend upon the at least one audience metric.

Claim 57, Gerace (Col. 19, lines 37-40) and Eldering (Col. 9, lines 4-17) further discloses wherein the contractual terms specify a monetary incentive to the broadcasting entity based at least in part on the at least one audience metric.

Claim 58, Gerace (Col. 19, lines 65-Col. 20, lines 11) and Eldering (Col. 9, lines 4-65) further discloses wherein the contractual terms specify favored lead content elements and provide for the delivery of such favored lead content elements under predefined conditions.

Claim 59, Gerace (Col. 12, lines 65-Col. 13, lines 26 and Col. 15, lines 1-44) and Eldering (Col. 11, lines 29-35) further discloses wherein the contractual terms specify a monetary incentive to the broadcasting entity to refrain from delivering content elements when audience levels are below specified levels.

Claim 60, Gerace (Col. 15, lines 1-45 and Col. 18, lines 1-27) and Eldering (Col. 5, lines 47-Col. 6, lines 15) further discloses wherein the contractual terms specify a monetary incentive to the broadcasting entity to selectively deliver predetermined content elements when audience level are above specified level.

Claim 61, Gerace (Col. 18, lines 50-Col. 20, lines 11) and Eldering (Col. 5, lines 47-Col. 6, lines 15) further discloses wherein the contractual terms associate a plurality of advertising content elements with the advertising entity and further provide monetary incentive to the broadcasting entity to preferentially broadcast selected one of the advertising content elements based on accumulated empirical information on audience level gains and losses associated with such advertising content elements.

Claim 85 is analyzed with respect to claim 41.

4. Claims 62, 63, and 65-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao et al. (US006459427B1) in view of Gerace (US005848396A), Stern (US006486892B1), Eldering et al. (US006820277B1), and Ellis et al. (US 20060031883A1).

Claim 62, Mao discloses a method for adjusting media content transmitted to an audience (Col. 3, lines 5-30) comprising:

simulcasting the media content to the audience (audience selects broadcast) and to a surrogate audience comprising plural persons (many persons select simulcast; Col. 7, lines 5-18);

Mao discloses HTML based webcasting content may be customized based on each consumer's individual profile and viewing time (Col. 4, lines 50-53).

Mao does not clearly disclose monitoring at least one of response of the surrogate audience to the media content and audience characteristics of the surrogate audience; and adjusting the media content based on the monitoring.

Gerace discloses monitoring at least one aggregate (gather) response of the surrogate audience to the media content and audience characteristics of the surrogate audience; and adjusting the media content based on the monitoring (Col. 2, lines 45-53; Col. 4, lines 1-36; Col. 5, lines 25-40; Col. 11, lines 45-Col. 12, lines 42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mao with monitoring at least one aggregate (gather) response of the surrogate audience to the media content and audience characteristics of the surrogate audience; and adjusting the media content based on the monitoring, as taught by Gerace, so to provide to user aggregate information combined in a common screen view or separately in respective screen view with advertisements in accordance with the psychographics profile of user.

Mao in view of Gerace does not clearly disclose automatically adjusting, in an identical and uniform manner, the programming and advertising content elements of all of the narrowcast content for all recipients of the narrowcast content and programming and advertising content elements of all of the broadcast content for all recipients of the broadcast content in real time based on the monitoring, thereby ensuring that, for all programming and advertising content elements that are adjustable

in response to the aggregate response and audience characteristics, the recipients of the narrowcast content and the broadcast content receive identical programming and advertising content elements.

Stern discloses the content delivery system being controlled by the audience interaction monitor system and being operative to automatically adjusting, in an identical and uniform manner, the narrowcast content for a plurality of recipients of the narrowcast content and the broadcast content for all recipient of the broadcast content in realtime (dynamically update user profile so to deliver information up-to- date; Col. 3, lines 45-57; Col. 9, lines 15-Co1. 10, lines 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mao in view of Gerace with the teaching of dynamically updating user profile so to deliver information up-to-date, as taught by Stern, so to better fine tune user needs by retrieving information or data on topics that user is likely to be interested in, even though the user himself may not known that such topics or information exists (Col. 9, lines 55-63).

Mao in view of Gerace and Stern does not disclose that programming and advertising content elements of both webcast content and of broadcast content are adjustable in an identical manner in response the audience metric, i.e., for all members of a broadcast audience and all members of a narrowcast audience.

Eldering teaches the subscriber characteristics/data may be associated with individual subscribers or groups of subscribers, i.e., audience metric in term of demographics, geographic locations, household income, and ethnic group... (Col. 4,

lines 33-Col. 5, lines 45) so that programming and advertising content elements can be easily matched in an identical manner in response the audience metric to individual subscribers or groups of subscribers (Col. 9, lines 13-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mao in view of Gerace and Stern with the teaching of grouping of subscribers into a large groups with similar characteristics, as taught by Eldering, so to provide advertisers an ability to describe their advertisements in term of target market demographics and to allow ads to be matched to groups of subscribers in the streaming video environments (see Col. 2, Summary of the invention).

Mao in view of Gerace, Stern, and Eldering does disclose a head end at which a simulcast accomplished by said simulcasting originates (See Mao Fig. 1). However, Mao in view of Gerace, Stern, and Eldering does not disclose that the adjusting is done at the head end.

Mao in view of Gerace, Stern, and Eldering does disclose that the guide system operates in a client-server architecture (See Stern col. 4 line 66 – col. 5 line 1). Ellis et al. (Ellis) discloses an interactive television system. Ellis discloses a guide system that also operates in a client-server architecture (See Fig. 2c). Ellis discloses that the content delivery system is located at a head end (See Fig. 2c, 16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the guide system of content deliver system disclosed by Mao in view of Gerace, Stern, and Eldering to be located at a head end, as taught by Ellis, in order to

have the primary processing power be provided by the head end thereby freeing resources at the client end (See paragraph 0046).

Claim 63, Gerace further discloses wherein the monitoring substantially occurs in real time (Col. 5, lines 8-40).

Claim 65, Mao further discloses wherein the simulcasting correspond to performing at least one of a traditional broadcast 30 and traditional narrowcast, wherein the media content is distributed to members of the audience via at least one of airwave and cable (Fig. 1); and

performing at least one of a streaming broadcast 40,110 and a streaming narrowcast via Internet technology (Fig. 1,2), wherein streaming media content is distributed to a member of the surrogate audience in response to a stream request (Col. 7, lines 27-63).

Claim 66, Gerace further discloses wherein the monitoring corresponds to measuring media content consumption of a surrogate audience member (Col. 5, lines 26-40 and Col. 12, lines 65+).

Claim 67, Gerace further discloses wherein the measuring occurs relative to geographic location of the surrogate audience member (Col. 6, lines 3-8).

Claim 68, Gerace further discloses wherein the measuring occurs relative to demographic location of the surrogate audience member (Col. 6, lines 3-8).

Claim 69, wherein the measuring occurs relative to domain type of the surrogate audience member is further met by Gerace because the User is automatically assigned

to ISP Internet domain type every time the user log on the Internet through his Internet Service Provider (see Gerace Col. 4, lines 1-5; lines 65-Col. 5, lines 15).

Claim 70, Gerace further discloses wherein the media content is defined in terms of content elements (advertisements), and wherein the adjusting corresponds to assigning a status to a content element based on the monitoring (Col. 15; lines 1-45); determining whether to include the content element in an imminent transmission based on the assigned status and reflecting results of the determining in the imminent transmission (Col. 17, lines 10-18 and Col. 18, lines 1-27).

Claim 71, the method claim for increasing audience for media content is analyzed with respect to claim 62.

Claim 72, Gerace (Col. 4, lines 30-47) further discloses deeming of the surrogate audience is representative of the response of the broadcast audience.

Claim 73, Gerace further discloses monitoring current audience characteristics (Col. 5, lines 8-15; Col. 6, lines 58-65+).

Claim 74, Mao further discloses monitoring current audience characteristics, and deeming that the audience characteristics of the surrogate audience are representative of the audience characteristic of the audience (Col. 3, lines 25-29; Col. 4, lines 40-52).

Claim 75, Gerace further discloses wherein the content element corresponds to a programming element, the method further comprising assigning a favored lead status to the programming element based on favorable audience response (Col. 14, lines 65-Col. 15, lines 45), wherein the determining corresponds to resolving to include the

Art Unit: 2623

programming element in the imminent transmission when audience level is high based on the favored lead status (Col. 19, lines 65-Col. 20, lines 11).

Claim 76, Gerace further discloses wherein the content element corresponds to an advertising element, wherein the monitoring corresponds to detecting an unfavorable audience response (Col. 14, lines 65-Col. 15, lines 45), and wherein the determining corresponds to resolving not to include the advertising element in the imminent transmission based on the unfavorable audience response (Col. 18, lines 1-10).

Claim 77, Gerace further discloses wherein the disfavored advertising element has an associated sponsor, wherein the imminent transmission corresponds to a next available spot for the associated sponsor, and wherein the reflecting corresponds to replacing the disfavored advertising element with an advertising element of the associated sponsor that is not disfavored (Col. 18, lines 1-26).

Claim 78 is analyzed with respect to claim 71.

Claim 79 is analyzed with respect to claim 72.

Claim 80, Gerace further discloses wherein a portion of the advertising element has a condition associated with satisfactory delivery (Col. 12, lines 23-42), and wherein the determining corresponds to detecting whether the condition met (Col. 12, lines 57-Col. 13, lines 33).

Claim 81, Gerace further discloses wherein the delivering corresponds to delivering an advertising element included in the portion only if the condition met (Col. 15, lines 1-45).

Claim 82, Gerace further discloses wherein the delivering corresponds to delivering an advertising element not included in the portion if the condition is not met (Col.15, lines 1-45).

Claim 83, Gerace further discloses wherein at least one advertising element is a premium advertising element compared to at least one other non-premium advertising element (Col. 19, lines 35-41), wherein the monitoring corresponds to detecting a current audience level, and wherein the determining corresponds to resolving the include the premium advertising element in the imminent transmission in favor of the non-premium advertising element when the current audience level is high (Col. 19, lines 19-32).

Claim 84, Gerace further discloses wherein the monitoring occurs in real time (Col. 5, lines 8-40 and Col. 15, lines 25-45), and wherein the determining is based on audience characteristics proximate in time to the delivery (Col. 4, lines 30-35 and Col. 18, lines 1-15).

Response to Arguments

5. Applicant's arguments with respect to claims 41-63 and 65-85 have been considered but are moot in view of the new ground(s) of rejection.

Furthermore, applicant argues that Stern does not disclose modifying all broadcast content and all narrowcast content. However, reading the claims in the broadest sense, Stern does meet that limitation of the claims. Stern discloses that the system scans the Web and television broadcasts in order to find content that matches

the preferences of the user. The system identifies and selects (or modifying) television broadcasts and web content that matches the user preferences and does not identify television broadcasts and web content that does not match from all of the available television broadcasts and all of the web (See Stern col. 9 lines 33-46).

Applicant further argues that Mao discloses that the user much choose between either to receive a simulcast or to receive personalized webcasting content. However, the personalized webcasting is also considered a simulcast. Mao discloses that the personalized webcast is associated with each MPEG TV program (See col. 4 lines 50-58). Furthermore, the personalized webcast is broadcast on a system channel at the same time as other television programs are broadcast over other channels (See Mao Fig. 1, col. 4 line 66 – col. 5 line 31 and col. 6 lines 43-61).

Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JGU

October 2, 2007



CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600